# STATE OF NEW HAMPSHIRE DEPARTMENT OF STATE BUREAU OF SECURITIES REGULATION

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IN THE MATTER OF:	
Local Government Center, Inc.;	)
Local Government Center Real Estate, Inc.;	)
Local Government Center HealthTrust, LLC;	)
Local Government Center	
Property-Liability Trust, LLC;	) Case Number: C-2011000036
HealthTrust, Inc.;	
New Hampshire Municipal Association	• ).
Property-Liability Trust, Inc.;	· <b>)</b>
LGC-HT, LLC;	)
Local Government Center Workers'	)
Compensation Trust, LLC;	)
and the following individuals: Maura Carroll,	)
Keith R. Burke, Stephen A. Moltenbrey,	)
Paul G. Beecher, Robert A. Berry,	)
Roderick MacDonald, Peter J. Curro,	)
April D. Whittaker, Timothy J. Ruehr,	)
Julia N. Griffin, Paula Adriance,	)
John P. Bohenko, and John Andrews	)
	_)

### SUBPOENA DUCES TECUM TO TESTIFY AT A DEPOSITION AND TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS

To: Ty Gagne, Chief Executive Officer
New Hampshire Public Risk Management Exchange (PRIMEX)
46 Donovan Street
Concord, NH 03301-2624

X Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this administrative action. If you are an organization that is not a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who are knowledgeable about the subject matter requested in Exhibit A (attached) and who consent to testify on your behalf about the matters set forth in Exhibit A.

Place: Preti Flaherty Beliveau & Pachios, PLLP

57 North Main Street Concord, NH 03301

Date and Time:

Monday, April 2, 2012; 1:00 p.m.

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: SEE ATTACHED EXHIBIT A.

Date: Much 26, 2012

DONALD E. MITCHELL, Esq.

Presiding Officer

The names, addresses, E-mail addresses, and telephone numbers of the attorneys representing Local Government Center, Inc.; Local Government Center Real Estate, Inc.; Local Government Center HealthTrust, LLC; Local Government HealthTrust, LLC; Local Government Center Property-Liability Trust, LLC; HealthTrust, Inc.; New Hampshire Municipal Association Property-Liability Trust, Inc.; LGC-HT, LLC; and Local Government Center Workers' Compensation Trust, LLC, who, on behalf of these entities, requested this Subpoena, are:

William C. Saturley, NHBA #2256 Brian M. Quirk, NHBA #12526 PRETI FLAHERTY BELIVEAU & PACHIOS, PLLP PO Box 1318

Concord, NH 03302-1318

Tel.: 603-410-1500 Fax: 603-410-1501 bquirk@preti.com wsaturley@preti.com

## PROOF OF SERVICE DATE: PLACE **SERVED** MANNER OF SERVICE SERVED ON (PRINT NAME) TITLE SERVED BY (PRINT NAME) **DECLARATION OF SERVER** I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct. Executed on \_\_\_\_\_ SIGNATURE OF SERVER DATE ADDRESS OF SERVER

#### **EXHIBIT A**

### **DOCUMENTS REQUESTED**

The Deponent shall be required to have with him/her at the designated time, date, and place the following documents:

- All documents relating to the initial corporate formation and/or corporate structure of New Hampshire Public Risk Management Exchange (hereafter referred to as "PRIMEX") and any affiliated entity, and any subsequent changes to the corporate formation and/or structure.
- Articles of Agreement and Bylaws of PRIMEX and any affiliated entity for calendar years 2003 through 2011.
- All documents that support PRIMEX's decision(s) to return surplus to members through rate reduction and/or stability for calendar years including 2003 through 2011.
- All documents relating to the level of reserves held by PRIMEX and any related entity for calendar years 2003 through 2011.
- All documents relating to the surplus level held by PRIMEX and any related entity for calendar years 2003 through 2011.
- All documents that relate to the method of measuring and/or setting the level of reserves for PRIMEX's various risk pools for calendar years 2003 through 2011.
- All documents that relate to the method of measuring and/or setting the level of surplus levels for PRIMEX's various risk pools for calendar years 2003 through 2011.
- All copies of the Capital Adequacy Policy that was adopted by the Board of Trustees in 2002 or in any subsequent years.
- All documents that relate to PRIMEX's calculation of reserves and surplus for calendar years 2003 through 2011.
- All documents that discuss and/or authorize multiple lines of coverage being in the same risk pool for calendar years 2003 through 2011.
- All documents listing expenditures by PRIMEX, any affiliated entity, and any of its risk pools for calendar years 2003 through 2011.
- Any and all policies discussing, relating to or concerning the setting of reserves and/or surpluses for any of the risk pools associated with PRIMEX for calendar years 2003 through 2011.
- Copies of all Board and Subcommittee Minutes for PRIMEX, including but not limited to Minutes of Board of Directors, Finance Committee and Risk Management Committee meetings, for the calendar years 2003 through 2011.

- Copies of all audited Financial Statements for PRIMEX for the calendar years 2003 through 2011.
- Any and all E-mails and any other written correspondence between the New Hampshire Bureau of Securities Regulation and PRIMEX from July 2009 through 2011.
- Any and all documents that relate to transferring and/or loaning of any monies from one risk pool to another risk pool for calendar years 2003 through 2011.
- Any and all documents that relate to investments and securities made by PRIMEX for calendar years 2003 through 2011.
- All documents that support PRIMEX's testimony before the Senate Commerce Committee on or about May 6, 2010, supporting PRIMEX's position that one coverage line can financially support another coverage line.
- All documents that support PRIMEX's testimony before the Senate Commerce Committee on or about May 6, 2010, supporting PRIMEX's position that multiple lines can be contained within one risk pool.